



IAP07Reg'd PCT 16 APR 2008  
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PATENT  
Attorney Docket No.: 47113-5028

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|   |   |                            |
|---|---|----------------------------|
| In re Application of: Johan HERNBLOM et al. | ) | Confirmation No.: 3028     |
|   | ) |                            |
| U.S. Application No.: 10/567,106            | ) | Group Art Unit: Unassigned |
|   | ) |                            |
| Filed: February 3, 2006                     | ) | Examiner: Unassigned       |
|   | ) |                            |
| For: COMPOSITE TUBE                         | ) |                            |

**MAIL STOP PCT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**  
**UNDER 35 U.S.C. § 371 IN THE U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. This replies to the Notification of Missing Requirements (Form PCT/DO/EO/905) mailed March 20, 2008.

A copy of the Notification of Missing Requirements (Form PCT/DO/EO/905) is enclosed.

2. Declaration Or Oath

- ☒ No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney.
- ☐ The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.
- ☐ The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

3. English Translation of Non-English Language Papers

- ☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.
- ☐ Also enclosed is the Verification of Translation Document

4. Small Entity Statement(s)

- ☐ Applicant(s) hereby assert small entity status.

5. Fee Calculation

|   |              |              |                |                 |
|---|--------------|--------------|----------------|-----------------|
| Basic National Stage Fee:   |              |              |                | Previously Paid |
|   |              |              | \$310.00       |                 |
|   | Number Filed | Number Extra | at a Rate of   |                 |
| Total Claims  | 11 - 20 =    | 0            | \$50.00 each=  | \$0.00          |
| Independent Claims  | 1 - 3 =      | 0            | \$210.00 each= | \$0.00          |
| Multiple dependent claim(s), if any   |              |              | \$370.00       | \$0.00          |
| Missing Requirements Surcharge Fee  |              |              | \$130.00       | \$130.00        |
| Application Size Fee<br>\$260.00 for each additional 50 sheets that exceeds 100                   |              |              |                | \$0.00          |
| Application Search Fee  |              |              | \$410.00       | Previously Paid |
| Examination Fee   |              |              | \$210.00       | Previously Paid |
| SUB-TOTAL =   |              |              |                | \$130.00        |
| Fee For Application Filed With A Non-English Specification<br>(37 C.F.R. § 1.17(k) and § 1.52(d)) |              |              | \$130.00       | \$0.00          |
| Fee For Processing and retention of application (37 C.F.R.<br>§ 1.21(l) and § 1.53(d))            |              |              | \$130.00       | \$0.00          |
| TOTAL FILING FEE =  |              |              |                | \$130.00        |

6. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. §§ 1.17(a)-(d), for the total number of months checked below:

|                          | <u>Total Months Requested</u> | <u>Extension Fee</u> | <u>Extension Fee [Small Entity]</u> |
|--------------------------|-------------------------------|----------------------|-------------------------------------|
| <input type="checkbox"/> | One month                     | \$120.00             | \$60.00                             |
| <input type="checkbox"/> | Two months                    | \$460.00             | \$230.00                            |
| <input type="checkbox"/> | Three months                  | \$1,050.00           | \$525.00                            |
| <input type="checkbox"/> | Four months                   | \$1,640.00           | \$820.00                            |
| <input type="checkbox"/> | Five months                   | \$2,230.00           | \$1,115.00                          |

Extension of time fee due with this request: \$0.00

If an additional extension of time is required, please consider this a Petition therefor.

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

7. Fee Payment

04/17/2008 GFREY1 00000110 10567106  
01 FC:1617

|                       |                 |          |
|-----------------------|-----------------|----------|
| The total fee due is: | Completion Fees | \$130.00 |
|                       | Assignment Fees | \$40.00  |
|                       | Total Fee Due   | \$170.00 |

- ☒ A check in the amount of \$170.00 to cover the above fees is enclosed

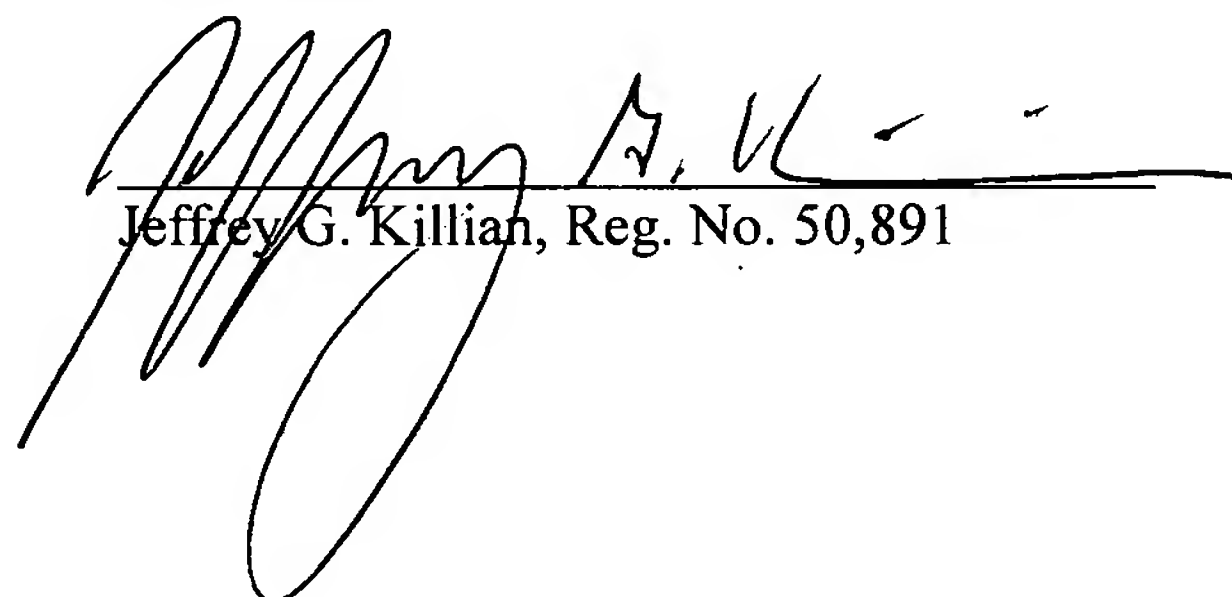
- ☐ The Commissioner is hereby authorized to charge the total fee due to Deposit Account 50-0573.
- ☒ **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0573.

8. Additional papers enclosed.

- ☐ PCT/IB/338 (International Preliminary Report on Patentability)
- ☐ PCT/IB/373
- ☐ PCT/ISA/237
- ☐ PCT/ISA/210 (International Search Report dated )
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, non-US patent documents as listed
- ☒ Assignment Recordation Cover Sheet (PTO Form-1595)
- ☒ Assignment of the invention to Sandvik Intellectual Property AB

Respectfully submitted,

**DRINKER BIDDLE & REATH LLP**



Jeffrey G. Killian, Reg. No. 50,891

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UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
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|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/567,106                  | Johan Hernblom        | 471135028        |

55694

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MAR 24 2008

DRINKER BIDDLE & REATH LLP

|                               |               |
|-------------------------------|---------------|
| INTERNATIONAL APPLICATION NO. |               |
| PCT/SE04/01242                |               |
| I.A. FILING DATE              | PRIORITY DATE |
| 08/27/2004                    | 08/28/2003    |

CONFIRMATION NO. 3028  
371 FORMALITIES LETTER



Date Mailed: 03/20/2008

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- Priority Document
- Copy of the International Application filed on 02/03/2006
- Copy of the International Search Report filed on 02/03/2006
- Preliminary Amendments filed on 02/03/2006
- Information Disclosure Statements filed on 02/03/2006
- Oath or Declaration filed on 02/03/2006
- U.S. Basic National Fees filed on 02/03/2006
- Specification filed on 02/03/2006
- Claims filed on 02/03/2006
- Abstracts filed on 02/03/2006
- Drawings filed on 02/03/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

Docketed 3-24-08  
Case 47113-5028  
Due Date 5-20-08  
Action Missing Requirements due  
mgb  
2:19pm

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

NADINE V CLARK

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